

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FISH, WILDLIFE AND PARKS**

#### **Call to Order:**

**CHAIRMAN KENDALL VAN DYK**, on January 20, 2009 at 3:01 P.M.,  
in Room 152 Capitol.

#### **ROLL CALL**

#### **Members Present:**

Rep. Kendall Van Dyk, Chairman (D)  
Rep. Gordon R. Hendrick, Vice Chairman (R)  
Rep. Dave McAlpin, Vice Chairman (D)  
Rep. Dick Barrett (D)  
Rep. Paul Beck (D)  
Rep. Carlie Boland (D)  
Rep. Joel Boniek (R)  
Rep. Frosty Boss Ribs (D)  
Rep. Jill Cohenour (D)  
Rep. Mike Milburn (R)  
Rep. Mike Miller (R)  
Rep. Jesse O'Hara (R)  
Rep. Ken Peterson (R)  
Rep. Mike Phillips (D)  
Rep. JP Pomnichowski (D)  
Rep. Cary Smith (R)  
Rep. Ted Washburn (R)  
Rep. Jeffery Welborn (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Bryce Bennett, Committee Secretary  
Doug Sternberg, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 221; HB 222; HB 223

Executive Action: HB 26; HB 190

**Opening Remarks:**

00:01:25 Chairman Van Dyk

00:03:45 Doug Sternberg, Legislative Services Division (LSD)

[EXHIBIT\(fih13a01\)](#)

**EXECUTIVE ACTION ON HB 190**

00:13:27 **Motion:** Rep. Cohenour moved that **HB 190 DO PASS.**

**Discussion:**

00:13:35 Chairman Van Dyk

00:18:03 **Motion:** Rep. Washburn moved that **HB 190 BE AMENDED.**

[EXHIBIT\(fih13a02\)](#)

**Discussion:**

00:18:43 Rep. Cohenour

00:19:23 Rep. Washburn

00:19:42 Rep. Boniek

00:20:15 Chairman Van Dyk

00:21:16 Rep. Peterson

00:22:02 Rep. Cohenour called the question.

00:23:23 **Vote:** Motion carried 10-8 by roll call vote with Rep. Boniek, Rep. Cohenour, Rep. Milburn, Rep. Miller, Rep. O'Hara, Rep. Peterson, Rep. Smith, and Rep. Welborn voting no. Rep. Beck voted by proxy.

00:23:40 **Motion:** Rep. Van Dyk moved that **HB 190 BE AMENDED.**

[EXHIBIT\(fih13a03\)](#)

**Discussion:**

00:24:22 Chairman Van Dyk

00:26:13 Rep. Milburn

00:26:24 **Vote:** Motion carried unanimously by voice vote.

Rep. Beck voted by proxy.

00:26:38 **Motion:** Rep. Milburn moved that **HB 190 BE AMENDED.**  
[EXHIBIT\(fih13a04\)](#)

**Discussion:**

00:27:16 Rep. Milburn  
00:28:23 Chairman Van Dyk

00:28:38 **Vote:** Motion carried unanimously by voice vote.  
Rep. Beck voted by proxy.

00:28:59 **Motion:** Rep. Peterson moved that **HB 190 BE AMENDED.**  
[EXHIBIT\(fih13a05\)](#)

**Discussion:**

00:29:44 Rep. Peterson  
00:33:14 Rep. Cohenour  
00:34:02 Rep. Milburn  
00:35:21 Rep. Peterson  
00:36:22 Chairman Van Dyk  
00:37:12 Rep. Peterson  
00:37:40 Rep. McAlpin called the question.

00:37:46 **Vote:** Motion failed 3-15 by roll call vote with Rep.  
Boniek, Rep. Hendrick, and Rep. Peterson voting aye.  
Rep. Beck voted by proxy.

**Discussion:**

00:39:04 Rep. Milburn  
00:40:51 Rep. Peterson  
00:41:26 Rep. Boniek  
00:46:24 Chairman Van Dyk  
00:49:54 Rep. Cohenour called the question.

00:49:56 **Vote:** Motion carried 16-2 by roll call vote with Rep.  
Boniek and Rep. Peterson voting no. Rep. Beck voted by  
proxy.

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**EXECUTIVE ACTION ON HB 26**

00:51:28 **Motion:** Rep. Peterson moved that **HB 26 DO PASS.**

00:51:36 **Motion:** Rep. Peterson moved that **HB 26 BE AMENDED.**  
[EXHIBIT\(fih13a06\)](#)

**Discussion:**

00:51:55 Rep. Peterson

00:53:54 Rep. Cohenour

00:54:30 **Vote:** Motion carried 17-1 by voice vote with Rep. Phillips voting no and Rep. Milburn voting aye by proxy.

**Discussion:**

00:54:51 Rep. Peterson

00:55:37 Rep. Cohenour

00:56:25 Chairman Van Dyk

00:57:10 Rep. Boniek

00:57:49 Rep. Peterson

00:58:31 Rep. Cohenour called the question.

00:58:39 **Vote:** Motion failed 8-10 by roll call vote with Rep. Boniek, Rep. Hendrick, Rep. Miller, Rep. Peterson, Rep. Smith, Rep. Washburn, and Rep. Welborn voting aye. Rep. Beck and Rep. Milburn voted by proxy.

01:00:03 **Motion/Vote:** Rep. McAlpin moved that **HB 26 BE TABLED AND THE VOTE REVERSED**. Motion carried 17-1 by voice vote with Rep. Peterson voting no.

01:05:22 Break

01:12:16 Reconvene

**HEARING ON HB 221**

**Opening Statement by Sponsor:**

01:12:29 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 221, Revise time for eligibility for youth hunting license.

**Proponents' Testimony:**

01:14:33 Joe Cohenour, self

01:16:17 Jean Johnson, Montana Outfitters & Guides Association, Montana Game Wardens Association

01:16:58 George Golie, Montana Wildlife Federation

01:17:25 Jim Kropp, Department of Fish, Wildlife, & Parks

**EXHIBIT**(fih13a07)

**Opponents' Testimony:**

01:18:23 Bill Tiddy, self

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:19:55 Rep. Peterson

01:20:56 Mr. Kropp

01:21:19 Rep. Peterson

01:21:25 Mr. Kropp

**Closing by Sponsor:**

01:21:42 Rep. Cohenour

**HEARING ON HB 223**

**Opening Statement by Sponsor:**

01:22:28 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 223, Revise laws governing revocation of hunting, fishing, and trapping privileges.

**Proponents' Testimony:**

01:26:05 Ms. Johnson

01:26:49 Mr. Golie

01:27:45 Mr. Kropp

[EXHIBIT\(fih13a08\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:31:09 Rep. Hendrick

01:31:53 Rep. Cohenour

01:32:27 Rep. Hendrick

01:32:52 Rep. Cohenour

01:33:03 Mr. Kropp

01:33:32 Rep. Hendrick

01:33:54 Rep. Miller

01:34:16 Rep. Cohenour

01:34:36 Rep. Miller  
01:34:42 Rep. Cohenour  
01:35:13 Rep. Welborn  
01:35:36 Rep. Cohenour  
01:35:46 Mr. Kropp  
01:36:31 Rep. Welborn  
01:36:51 Mr. Kropp  
01:36:59 Rep. Welborn  
01:37:15 Mr. Kropp  
01:37:47 Rep. Washburn  
01:38:03 Mr. Kropp

**Closing by Sponsor:**

01:38:26 Rep. Cohenour

**HEARING ON HB 222**

**Opening Statement by Sponsor:**

01:38:43 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 222, Revoke hunting and fishing privileges until fines paid.

**Proponents' Testimony:**

01:41:03 Mr. Golie  
01:41:36 Ms. Johnson  
01:42:21 Mr. Kropp  
[EXHIBIT\(fih13a09\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:44:45 Rep. Peterson  
01:46:14 Mr. Kropp  
01:47:35 Rep. Peterson  
01:47:57 Mr. Kropp  
01:49:01 Rep. Peterson  
01:49:26 Mr. Kropp

**Closing by Sponsor:**

01:49:39 Rep. Cohenour

**ADJOURNMENT**

Adjournment: 4:48 P.M.

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BRYCE BENNETT, Secretary

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Additional Documents:

**EXHIBIT ([fih13aad.pdf](#))**